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OFFICE OF PETITIONS

In re Application of
SOLOMON EDLIN
Application No. 09/871,383
Filed: May 31, 2001
Attorney Docket No. n/a

DECISION ON PETITION

This is a decision on the **renewed** petition under 37 CFR 1.137(b) filed on May 3, 2006 in the above-identified application.

The petition is **DISMISSED**.

The rules and statutory provisions governing the operations of the U.S. Patent and Trademark Office require payment of a fee on filing each petition to revive an abandoned application for patent based on unintentional delay or to accept an unintentionally delayed payment of a fee for issuing a patent. In this instance, the fee required by law is \$1,500. If applicant can qualify as a "small entity" and does so prior to or together with the payment of the fee, the fee will be one-half of the amount indicated. See 37 CFR 1.27.

The petition in the above-identified application was not accompanied by payment of the required fee. No consideration on the merits can be given that petition until the required fee is received.

Petitioner submitted \$490 with the earlier petition which was dismissed in the petition decision dated April 27, 2005 for failure to submit the required fee of \$685. Currently, the fee to revive under 37 CFR 1.137(b) under small entity status is \$750 (subject to change). Accordingly, a consideration on the merits of the present petition cannot be made until the \$260 fee deficiency is submitted to the Office.

Any further delay in filing a grantable petition, i.e. submission of the required fees, may be construed as an intentional delay in reviving the above-identified application. Any such intentional delay may preclude the granting of a petition to revive an unintentionally abandoned application under 37 CFR 1.137(b).

The change of correspondence address filed on May 3, 2006 has been accepted, and the new correspondence address of record is the address indicated above.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
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By hand: Customer Service Window
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 Randolph Building
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 Alexandria, VA 22314

By fax: (571) 273-8300
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Any questions concerning this matter may be directed to the undersigned at (571) 272-7414.



Amelia Au
Petitions Examiner
Office of Petitions